

ANTI-SOCIAL BEHAVIOUR STATEMENT

Definition of Anti-Social Behaviour.

We have adopted a broad definition of what constitutes anti-social behaviour developed in the context of existing legislation, guidance, concerns about public and private nuisance, harassment and racially motivated incidents.

Broadly we consider anti-social behaviour to be: *“Behaviour, which impacts negatively on a resident’s quality of life in and around their homes”*. Anti-social behaviour is caused by a person or persons, who act in a manner that caused or is likely to cause harassment, alarm, or distress to one or more persons, not of the same household as the perpetrator.

This Housing Anti-Social Behaviour Statement centres around our commitment to tackle anti-social behaviour which is based around three key objectives. These are as follows:

PREVENTION AND MITIGATION

To undertake improvement schemes and introduce measures and policies that will help to reduce, prevent and deter the opportunity for any incidence of crime and anti-social behaviour in and around the housing stock and associated assets.

ENFORCEMENT

To improve the service to tenants and others reporting anti-social behaviour and to introduce measures that allow for more effective and broader based action against the perpetrators.

COMMUNITY INVOLVEMENT

To involve tenants and other stakeholders in developing pleasant, safe communities where anti-social behaviour is recognised as being unacceptable, where those engaging in it can be readily identified and dealt with; and to empower tenants to assist in this process.

The elements that make up the Anti-Social Behaviour Statement are as set out below.

Introduction and Aims

The Statement provides an overview of the general problem and effects of anti-social behaviour on tenants and communities, and affirms the intention to put in place a framework of measures and work with stakeholders and other agencies to tackle the problem.

Guiding Principles and Policy Statement

We have adopted this policy statement in relation to dealing with complaints of anti-social behaviour and identified the principles that will be followed in tackling it. The major principles include:

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- Working in partnership with tenants leaseholders and other agencies and stakeholders, for example the police; the Anti-Social Behaviour Co-Ordinator; etc.
- Including, where appropriate, measures to prevent and deter anti-social behaviour as key elements of other housing strategies and policies;
- Using measures to combat anti-social behaviour to link with and contribute to, other corporate plans and strategies:
- Considering the use of all reasonable measures available to local authority landlords to tackle anti-social behaviour;
- Contributing to tackling anti-social behaviour to be a key objective of each relevant housing team;
- Aiming to prevent anti-social behaviour from occurring in preference to taking enforcement action;
- Taking a holistic multi-agency approach to tackling anti-social behaviour;
- Ensuring enforcement against anti-social behaviour is proportionate and upholds the Human Rights and Race Relations Acts in respect of victims and perpetrators;
- Following the Code of Practice for Social Landlords in Tackling Racial Harassment;
- Employing early intervention and persuasion before seeking legal or enforcement action;
- Using eviction as a measure of last resort;
- Monitoring and publishing performance and progress and reviewing the Statement, to incorporate changes to legislation or new powers made available to social landlords.

Stakeholder Involvement

A key element of our approach is to engage tenants and leaseholders in tackling anti-social behaviour and the intention is to work with other agencies and stakeholders.

Tenant and Leaseholders

We will identify the role that tenants and leaseholders play in tackling anti-social behaviour and feeding their views into the issues surrounding anti-social behaviour where it concerns the Council's housing stock.

Partners to the Strategy

We recognise the need to offer a multi-agency approach to tackling anti-social behaviour and the issues that surround and cause it, the need to enter into consultation and data sharing protocols and identify main partners, including the Police, Social Services, Education Welfare, Victim Support, Voluntary services, and other Council services.

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Engagement with other Council Plans and Strategies

We will identify how the anti-social behaviour statement links in with other corporate and housing plans and strategies and identify how the link is achieved.

Measures Currently Available to Social Landlords to Tackle Anti-Social Behaviour

The principle powers and enforcement measures available to Local Authority landlords with which to tackle anti-social behaviour include:

- Powers available under the Homelessness Act 2002 to treat as ineligible or not give preference to, housing applicants who have been guilty of serious anti-social behaviour;
- Mediation in cases of neighbour dispute or nuisance;
- The use of Acceptable Behaviour Contracts in consultation with the Police and the Anti-Social Behaviour Co-Ordinator;
- Witness support measures and the potential for using professional witnesses;
- Application to the Magistrates Court for an Anti-Social Behaviour Order in consultation with the police and other relevant agencies;
- The potential for implementing an Introductory/Demoted Tenancy regime;
- The use of injunctive action through the County Court;
- Enforcement action for breach of the tenancy agreement including in extreme cases, seeking possession of the property through the County Court;
- Assistance from other regulatory authorities/agencies e.g. Environmental Health, Police.

Staff Resources

We have identified the resources available to tackle anti-social behaviour, and the implementation of this Statement will be achieved by making the best and most efficient use of existing staff resources operating within current budgets and financial constraints. Our response will be proportionate to the problems in the district.

Incidents of anti-social behaviour in or affecting council housing should be reported to the Estate Management Team in the Housing and Social Inclusion Service. The complaint will be recorded and a meaningful response will be made within five working days of the matter being reported. If for any reason this is not possible the complainant will be advised. Details of the problem will be gathered through investigation of the

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complaint, typically a visit will be required to make an assessment. Every attempt will be made to keep the complainant informed of progress.

Current Situation within the Housing Stock

We will detail the current incidence of anti-social behaviour within the housing stock using information obtained from activity figures compiled by the estate management team. We have highlighted the need for a more robust complaints recording and monitoring system to enable us to better prioritise action to combat the problem.

Priorities for Action

Priorities for action are identified under the key objectives as set out below:

Prevention and mitigation

- Undertake an annual programme of improvement schemes to the housing stock to design out crime and create safer, more pleasant communities;
- Produce and implement a new Allocation/Choice Based Lettings policy that will enable the sensitive allocation of homes to tenants with a history of serious anti-social behaviour or to protect potentially vulnerable applicants;
- To enable, through the Allocation Scheme, the consideration of a management transfer to alternative accommodation for those tenants suffering from or causing serious nuisance, harassment, racial harassment or anti-social behaviour or by restricting the transfer of tenants with a known history of instigating serious anti-social behaviour;
- Undertake interviews with new tenants (tenancy sustainment) to advise them of their households responsibility and obligations under their tenancy agreement;
- Instigate a revised procedure to record and monitor incidents of anti-social behaviour including identifying racially motivated incidents;
- Improve the cleanliness and appearance of communal and estate areas;
- Promote and seek funding for the provision of services for young people.

Enforcement

- Produce and distribute a revised tenancy agreement that more clearly defines what is considered to be anti-social behaviour and that sets out the measures that will be taken against those tenants who breach the conditions;
- Investigate the cost and feasibility of implementing the Demoted Tenancy regime;
- Promote and fund legal remedies and enforcement action against anti-social tenants;

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- In consultation with the Head of Legal and Member Services, investigate the cost and use of the professional witness scheme;
- Agree and instigate a good practice protocol with the Environmental Health and Health Equalities Service, the Police, and other appropriate agencies for investigating and taking action against noise or other statutory nuisance.
- Joint working with the Probation Service and related agencies.

Community Involvement

- Use all available resources, including publishing procedures and service standards to promote responsible behaviour and develop a culture within communities where anti-social behaviour is clearly defined and recognised as unacceptable;
- Promote and fund mediation services;
- Work with the Anti-Social Behaviour Co-Ordinator to combat anti-social behaviour;
- Instigate the use of Acceptable Behaviour Contracts to encourage parental responsibility and tackle anti-social behaviour amongst young people;
- Develop witness capacity and support;
- Promote residents' associations and other tenant or leaseholder groups to encourage social inclusion and local resolution of problems including the provision of locally determined improvement budgets.

Policies and Procedures

We will produce new and revised procedures and policies in support of this Anti-Social Behaviour Statement and publish them in the form of service standards for the benefit of tenants.

Monitoring and Reviewing Performance and Progress

We will encourage the Tenant Customer Panel to act as a steering group, as the means by which progress and performance on achieving the principles in this Statement can be monitored, and to devise some local performance indicators that can be used.

November 2004